

ARIZONA DEPARTMENT OF TRANSPORTATION
205 SOUTH 17TH AVENUE
R/W Operations, MD 612E
PHOENIX, AZ 85007-3213

March 13, 2009

RES. NO. 2009-03-A-015
PROJECT: S-085-B-702 / 085MA147H567503R
HIGHWAY: GILA BEND - BUCKEYE HIGHWAY
SECTION: Gila River - Jct. I-10
ROUTE NO.: State Route 85
ENG. DIST.: Phoenix
COUNTY: Maricopa

RESOLUTION OF ESTABLISHMENT

JOHN S. HALIKOWSKI, Interim Director, Arizona Department of Transportation, on March 13, 2009, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the establishment and acquisition of new right of way for the improvement of a portion of State Route 85 as set forth in the above referenced project.

The new right of way to be established and acquired for this improvement is depicted in Appendix "A" and delineated on maps and plans on file in the office of the State Engineer, Intermodal Transportation Division, Phoenix, Arizona, entitled "Right of Way Plans, GILA BEND - BUCKEYE Highway, Project S-085-B-702 / 085MA147H567503R."

WHEREAS establishment and acquisition of the new right of way is necessary for this improvement; and

WHEREAS because of these premises, this Board finds public safety, necessity and convenience require the recommended establishment and acquisition of the additional land needed for this improvement and that access to the highway shall be controlled as delineated on the maps and plans; therefore, be it

RESOLVED that the recommendation of the Interim Director is adopted and made part of this resolution; be it further

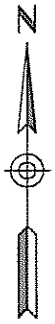
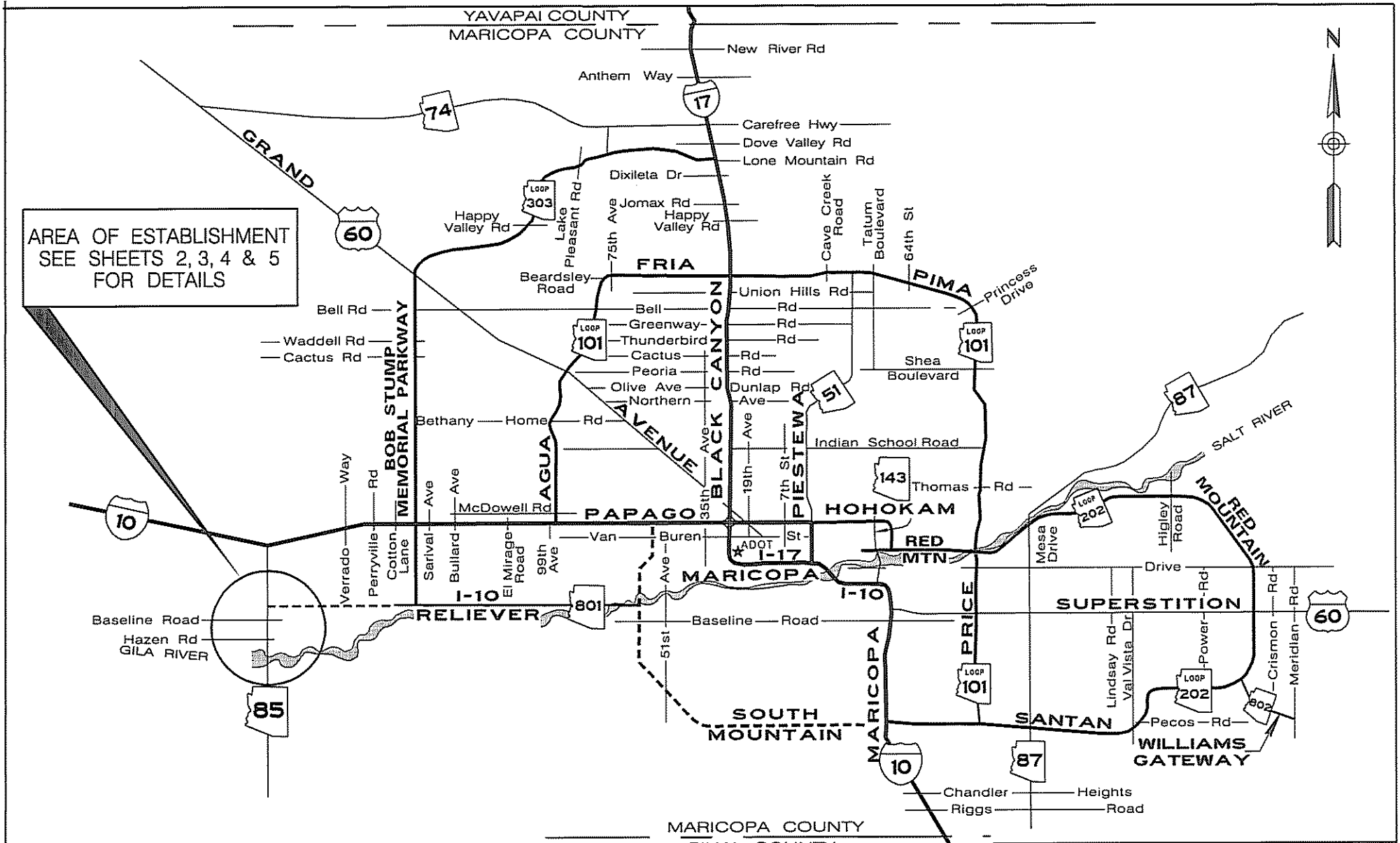
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RESOLVED that the new areas of right of way as set forth in Appendix "A" are designated a controlled access state route and state highway, and ingress and egress to and from the highway and to and from abutting, adjacent, or other lands be denied, controlled, or regulated as indicated by the maps and plans. Where no access is shown, none will be allowed to exist; be it further

RESOLVED that the Interim Director is hereby authorized to acquire by lawful means, including exchanges, in accordance with Arizona Revised Statutes Section 28-7092, an estate in fee, or such other interest as is required, including material for construction, haul roads, and various easements in any property necessary for or incidental to the improvements as delineated on said maps and plans; be it further

RESOLVED that the Interim Director secure an appraisal of the property to be acquired and that necessary parties be compensated. Upon failure to acquire said lands by other lawful means, the Interim Director is authorized to initiate condemnation proceedings.



A LEGIBLE COPY CAN BE OBTAINED FROM THE
ARIZONA DEPARTMENT OF TRANSPORTATION
STATE ENGINEERS OFFICE
LOCATED AT
206 SOUTH 17TH AVENUE
PHOENIX, ARIZONA 85007
MAIL DROP 102A

AREA OF ESTABLISHMENT
FOR DETAILS
SEE SHEETS 2, 3, 4, & 5

APPENDIX "A"

085 MA 147 H5675 03R
S-085-B-702
GILA BEND - BUCKEYE HIGHWAY
Gila River - Jct I-10
Maricopa County
DATE: MAR 13, 2009 SHEET: 1 OF 5

MATCHLINE SHEET 3

SECTION LINE

NARRAMORE ROAD

148

SECTION LINE

MID-SECTION LINE

23

MID-SECTION LINE

24

MID-SECTION LINE

RAY ROAD

147

NEW RIGHT OF WAY

Existing Right of Way

Existing Right of Way

85

To Gila Bend 28 Miles

085 MA 147 H5675 03R
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DATE: MAR 13, 2009 SHEET: 2 OF 5

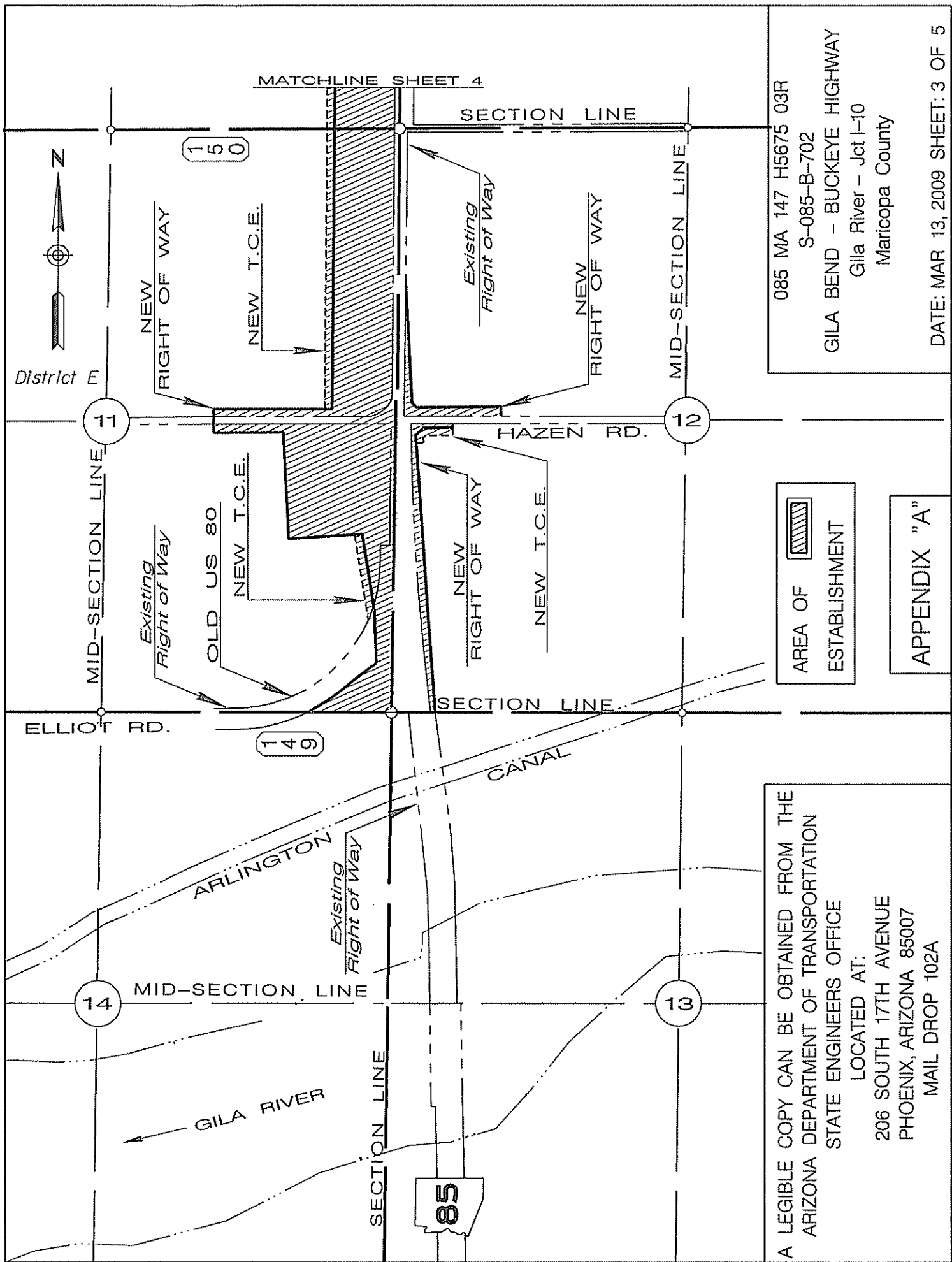
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District E



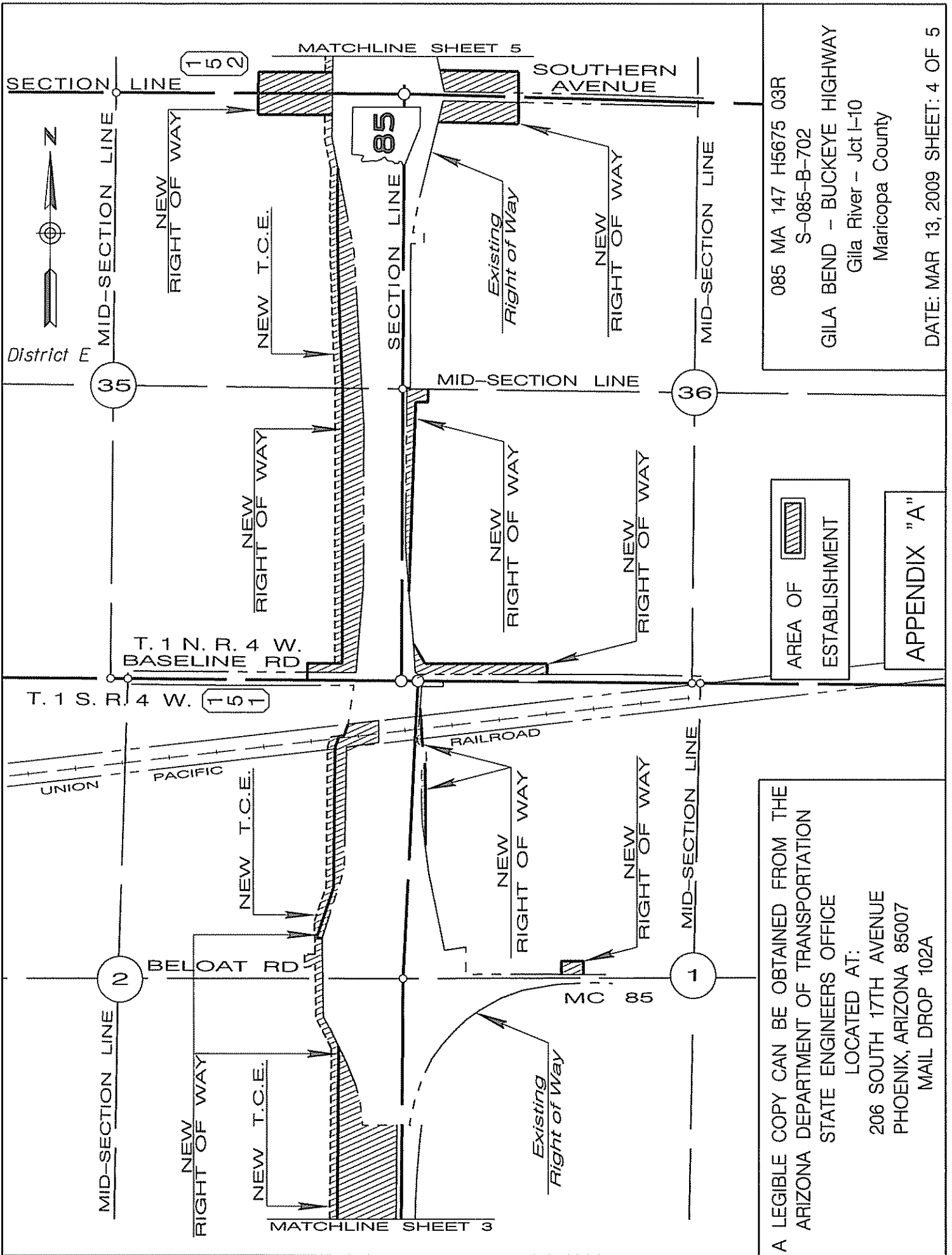
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DATE: MAR 13, 2009 SHEET: 3 OF 5

AREA OF
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APPENDIX "A"

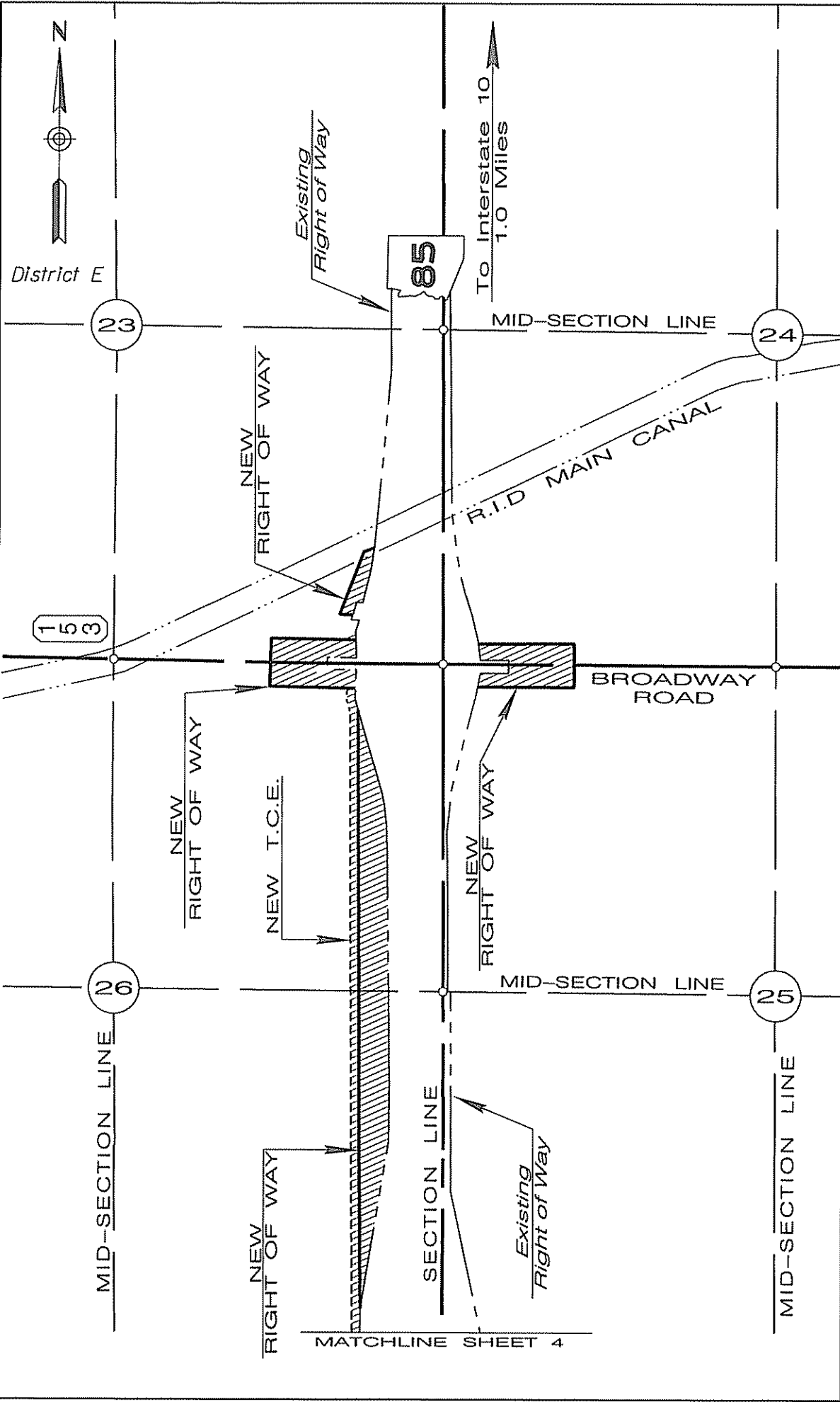
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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the establishment and improvement of a portion of State Route 85 within the above referenced project.

This portion was previously established as a state route and state highway designated U.S. Route 80 by Arizona Commission Resolution dated September 9, 1927, page 26 of the Official Minutes; various Resolutions established additional right of way for improvements thereof; thereafter, Arizona Transportation Board Resolution 77-16-A-48 dated September 16, 1977, redesignated and renumbered U.S. Route 80 to State Route 85; Resolution 78-17-A-58 dated October 20, 1978, redesignated a portion to State Route 85 Spur; Resolution 94-11-A-63 dated November 18, 1994, redesignated State Route 85 Spur to State Route 85; Resolution 01-07-A-048 dated July 13, 2001, established additional right of way as an access controlled state route and State highway for improvements; Resolution 04-03-A-012 dated March 19, 2004, established additional right of way for improvements due to a design change; and Resolution 06-05-A-022 dated May 19, 2006, established additional right for improvements thereof.

New right of way is now needed due to design changes to enhance safety for the traveling public. Accordingly, it is necessary to establish and acquire the new right of way for this improvement.

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In the interest of public safety, necessity and convenience, I recommend that the area depicted in Appendix "A" be established and improved as a state route and state highway, and that access be controlled.

I further recommend the acquisition of the new right of way, material for construction, haul roads and various easements necessary for or incidental to the improvement.

Pursuant to Arizona Revised Statutes Section 28-7046, I recommend the adoption of a resolution making this recommendation effective.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John S. Halikowski".

JOHN S. HALIKOWSKI, Interim Director
Arizona Department of Transportation


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CERTIFICATION

I, JOHN S. HALIKOWSKI, Interim Director of the Arizona Department of Transportation, do hereby certify that the foregoing is a true and correct copy from the minutes of the Transportation Board made in official session on March 13, 2009.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on March 13, 2009.



JOHN S. HALIKOWSKI, Interim Director
Arizona Department of Transportation

